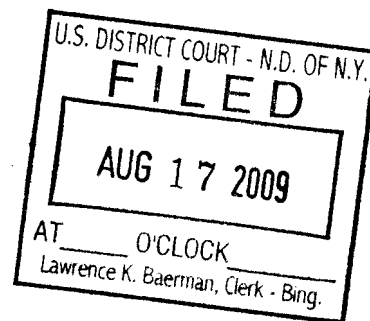


UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF NEW YORK

In re Nontestimonial Identification)
Motion Directed to Marc A. CONCA)
in Criminal Case No. 09-CR-114)
_____)

Criminal No. 09-CR-114 (TJM)



**ORDER FOR THE PRODUCTION
OF EPITHELIAL CELLS FOR DNA TESTING**

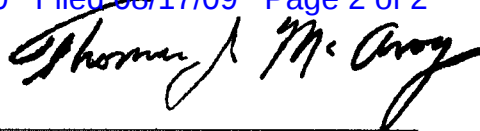
THIS MATTER having been brought before the court this 11th day of August, 2009, upon motion of the United States Attorney for the Northern District of New York, supported by the affidavit of Criminal Investigator, Deputy U.S. Marshal Jeffrey Susi, the Court having found reasonable grounds to believe that Marc A. CONCA has committed a sex offense against someone other than a minor while in a failure to register status, in violation of Title 18 U.S.C. 2250 (a), and that the ends of justice would be served by genetic testing to establish the identity of the source of the semen sample recovered from the August 13, 2008 Oklahoma City rape victim, the Court being fully advised in the premises;

IT IS HEREBY ORDERED that Marc A. CONCA shall appear at the Schoharie County Jail, at a time selected by the Court, on August 11, 2009, then and there to submit to the swabbing of his mouth by a staff member of the Schoharie County Jail, by sanitary and medically acceptable means, for epithelial cells to be analyzed for purposes of comparison testing with other evidence in the above entitled matter;

IT IS HEREBY FURTHER ORDERED that the U.S. Marshals Service will facilitate the transfer of the aforementioned DNA sample of Marc A. Conca to the Oklahoma City Police Department Forensic Laboratory for analysis and comparison to any DNA sample that may be found on the semen recovered from the August 13, 2008 Oklahoma City rape victim.

Dated: _____

8/17/09

A handwritten signature in black ink, appearing to read "Thomas J. McAvoy", written over a horizontal line.

Thomas J. McAvoy
U.S. District Court Judge